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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Joint written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in general consultative status, and the African Commission of Health and Human Rights Promoters and Interfaith International, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 June 1999]

GE.99-13854 (E)

Conflict in the Sudan

1. Africa's longest internal armed conflict, which engulfs the Sudan, has witnessed a new dramatic unfolding with the escalation of the tribal conflict in the Darfur region (western Sudan) into a full-blown ethnic war. This trend seriously threatens to throw this part of the country into a state of complete disarray. Despite its destructive nature and the huge loss of human life and properties associated with it, the armed conflict in Darfur has continued unheeded nationally and unnoticed internationally since the mid-1980s. Two factors have immensely contributed to this state of oblivion: firstly, the prevalent perception that this is yet another traditional intertribal conflict in a very remote area; secondly, the conflict has been overshadowed by the civil war in southern Sudan and the Nuba Mountains with its ethnic, political and religious overtones.

2. While the armed conflict in southern Sudan, and to some extent in the Nuba Mountains, was largely regarded as an ethno-religious conflict between northern Arab Muslims and southern black African Christians, the conflict in Darfur is a classical ethnicity-induced and racially motivated one as both parties to the conflict are followers of Sunni Islam and use Arabic as their lingua franca. Despite these facts the conflicting parties identify themselves as Arabs or Africans on racial and ethnic grounds. On the one hand there are the settled aborigine farmers such as the Fur and Massalit tribes who live in the wetlands in Jabel Marra massif and the southern parts of the region. These groups identify themselves as black Africans. On the other hand there are the pastoralist nomads who live in the semi-arid areas and identify themselves as Arabs, with the exception of the Zaggawa who consider themselves as non-Arabs.

3. Within the broad African and Arab ethnic groupings in Darfur, a number of subdivisions constitute an integral part of the social construct. They can be classified in about 85 tribal subgroups, the main among them being: the Fur, Zaggawa, Bideyat, Tingur, Massalit, Tama, Mima, Bergu, Meidob, Mararit, Berti and Bergid non-Arab tribes and the Reziegat, Habbaniya, Taaisha, Maaliya, Mahariya, Beni Halba, Irayqat, Mahamid and Beni Hussein Arab tribes. Each of the major tribes usually owns its geographic territory locally known as Dar (homeland) where traditional chieftains play cardinal roles in organizing social life as well as intertribal and intratribal relationships. The total area of Darfur is about 160,000 square miles with an estimated population of more than 6 million of whom 74 per cent identify themselves as black Africans or non-Arabs while those of Arab descent account for only 15 per cent of the population.

4. Underlying factors of the armed conflict in Darfur can be traced to the ecological degradation caused by the prolonged and severe climatic desiccation which has hit the region since the 1960s, together with the intensive exploitation of the soil, water sources, forests and flora as well as the increase in the human and animal populations. The drought and famine of the 1980s have created a large-scale migration of people from the semi-arid northern parts of the region to its southern parts. Another factor was the

massive extraction of the region's natural resources by the northern Sudanese merchant class known as "Jallaba" supported by the biased behaviour of the ruling northern el e. The situation was further aggravated by negligence and marginalizatic t the people of this area as well as the unwise administrative and political policies imposed by the successive central Governments on the region.

5. The situation has become unprecedentedly bad during the tenure of the present Government because of its tendency to misuse ethnic and tribal differences to gain absolute control over the inhabitants of the region, and to secure the military support of the sturdy pastoralist nomad tribes to implement its fundamentalist religious and cultural programme. It is widely believed that the Government's deliberate policy aims at extending what it considers as the Arabic belt into black Africa. This notion has largely fostered the current conspicuously polarized and antagonistic ethnic stand. The Government's manipulation of tribal differences and its overt support and encouragement of the Arabized tribes against other groups considered less loyal in their religious and cultural adherence have rendered the traditional means for the prevention and resolution of interethnic disputes virtually unworkable.

6. During the last 30 years the armed conflicts among the various ethnic groups in Darfur have experienced two major phases in their development: firstly, the highly localized low-intensity, unmeditated and sporadic raids and skirmishes which characterized tribal disputes from the 1970s to the 1980s; secondly, the high-intensity and persistent warfare as well as widespread lawlessness and criminality from the early 1980s when some parts of the region were hard hit by drought and famine. The current full-fledged warfare started in 1985 at the height of the drought and desertification that hit the region and can largely be described as a war fought primarily over the control of a thriving natural resource base in the middle of a zone of ecological scarcity. It has further developed into a concerted policy to drive away the indigenous people of the area from their fertile land for the benefit of cattle owners who supply the national treasury with huge amounts of foreign exchange in export earnings. The first round was fought between the Zaggawa and Maharia camel pastoralists of the upper northern desert belt, against the settled Fur farmers in the central part of the region around Jabel Marra massif.

7. The main phase was shaped in 1987 when the Arabized tribes organized themselves in what is known as the Arab Congregation and declared war against all the non-Arab inhabitants of the region. The purpose of this Congregation is to lobby for official financial and military backing both from the Central Government and political parties to support its cause in the region. In response to this serious threat, the African tribes, traditionally inclined to a peaceful life, organized their own militia, initially for self-defence, and later forged an unsuccessful link with the guerrilla Sudan People's Liberation Army (SPLA). In 1992 the Government security forces arrested and summarily executed Mr. Da'ood Yahya Boulad, the presumed leader of the rebellion. This is the most aggressive, destructive and large-scale phase of the armed ethnic conflict which continues to haunt the region till today.

8. Since the present Government ascended to power on 30 June 1989, a number of measures have negatively affected the situation. They can be summarized as follows.

9. On 6 November 1989, the Government introduced the Popular Defence Forces Act by which the Government officially recognized the status of the loyal armed groups and the nomad tribal militia as paramilitary forces. This serious development revealed the Government's intention to use such groups to fight on its behalf. The Government became increasingly dependent on the recruitment of nomad tribal militia in paramilitary formations locally known as "Murahaleen". These notoriously undisciplined nomad groups were invested with unlimited powers to maintain security in the region and occasionally to help in the fighting in the war zones in southern Sudan.

10. Darfur was divided into three subregions or states (Willyat), which were subdivided into a number of districts and local councils. The division has entailed reallocation of land on a tribal basis and without due regard to the complex intertribal relationships. Since 30 June 1989, the three regions of Darfur have virtually been under a state of emergency which allows the security and paramilitary forces a free hand to arrest, detain, torture and extrajudicially execute suspected persons. The security forces are frequently deployed in law and order campaigns in which brutal measures are used, especially targeting the indigenous people of the area.

11. On 13 March 1995, the Governor of Western Darfur decided to divide this region into 34 emirates (districts) and appointed a number of amirs (rulers) with the lion's share accorded to the nomad tribes. This decision has instigated a series of tribal clashes between the Arab nomad tribes and the Massalit.

12. As a result of the ongoing conflict and attacks by the nomad pastoralist tribes against the Fur tribe, it was estimated that the latter have lost more than 20,000 people and more than 100,000 homes were burnt. In addition, billions of Sudanese pounds in livestock, agricultural machinery and other properties have been lost. A much larger number of persons were rendered destitute and displaced or forced to migrate to urban areas.

13. The most recent round of fighting by the pastoralist tribal militia was against the Massalit and took place earlier this year in western Darfur around El Ginnena town on the border between the Sudan and Chad. According to the conservative government estimates the nomad Arab militia killed at least 292 persons, burnt down 2,173 homes, looted 92 million Sudanese pounds and 21,204 heads of livestock including cows, sheep, horses and donkeys. In addition, thousands of persons were forced to flee the country into neighbouring Chad. The victims this time were the Massalit African tribe. As they feel well protected by the Government, the culprit tribes refused to compensate the Massalit tribe for their losses, which is usually the way of solving such disputes in the area.

14. The Government of the Sudan is called upon to assume its obligations under international human rights agreements to which the Sudan is a party, and in particular to take the following measures:

(a) To embark immediately on a process to end the armed conflict in the country through a negotiated democratic and peaceful settlement;

(b) To end the regime of terror in the country by dismantling all the tribal militia groups and paramilitary formations known as the Popular Defence Forces; and

(c) To immediately lift the state of emergency in Darfur region and suspend all laws and regulations which severely violate the human rights and fundamental freedoms of the people of Darfur, and to ensure the safety and personal security of the people of the region.